



TSW

**PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Douglas Barry et al.  
Serial No : 10/626,466  
Filed : 07/24/2003  
Title : Specimen Carrier Transfer Apparatus for a Conveyor Track  
Art Unit : 3651

**Request for Correction of Filing Receipt Pursuant to 37 CFR 1.48(f)(1)**

Office of Initial Patent Examination's Filing Receipt Corrections  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

An error was found in the "Updated Filing Receipt" dated May 20, 2004 in the above application. A copy of the filing receipt is enclosed with corrections thereon (3 additional persons were erroneously listed as applicants), and identified as Attachment 1.

The original filing receipt, dated December 5, 2003, correctly listed all of the applicants to the application; a copy of this receipt is attached hereto as Attachment 2. The original filing receipt was based upon the application as originally filed, with the first page listing the inventors (a copy of the first page of the specification is attached hereto as Attachment 3). The original application was filed without an executed oath or declaration.

The provisions of 37 CFR 1.48(f)(1) state that the first submission of an executed oath or declaration under Section 1.63 by any of the inventors during the pendency of the application will act to correct the earlier identification of inventorship. Although the identification of inventorship of the original application was correct, the updated filing receipt included persons that were erroneously identified as inventors. Since the first submission of an executed declaration by several of the inventors lists only the names found in the original filing receipt (a copy of the first submission of an executed

declaration is attached hereto as Attachment 4), it is believed that this Declaration will act to correct the incorrect identification of the "Updated Filing Receipt".

For these reasons it is requested that the "Updated Filing Receipt" be corrected to list only the inventors set forth in the first submission of an executed declaration, and that the noted deletions be made.

Respectfully submitted,



GEORGE R. NIMMER  
Registration No. 21,004  
Attorney of Record  
PO Box 252  
Omaha, Nebraska 68101-0252  
(402) 393-0151

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

I hereby certify that this letter and copy of corrected filing receipt are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on this 18<sup>th</sup> day of August, 2004.



Mark Frederiksen



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/626,466	07/24/2003	3651	450		8	17	1

George R. Nimmer  
 PO Box 252  
 Omaha, NE 68101-0252



CONFIRMATION NO. 1327

## UPDATED FILING RECEIPT



\*OC000000012732624\*

Date Mailed: 05/20/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Douglas Barry, Lincoln, NE;  
 Thomas L. Bybee, Omaha, NE;  
 Adrian Chan, Richmond Hill, CANADA;  
 John Fuller, Omaha, NE;  
 Ray Puseman, Bellevue, NE;  
 Greg Rothman, Omaha, NE;  
 Don R. Simms, Council Bluffs, IA;  
 Michael Turner, Bellevue, NE;  
 Jay Woods, Omaha, NE;  
 Inna M. Zevakina, Omaha, NE;  
~~Dave Murphy, Goodwood, CANADA;~~  
~~Sheri Kime, Peterborough, CANADA;~~  
~~Steve Wright, Peterborough, CANADA;~~

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/398,893 07/26/2002

## Foreign Applications

If Required, Foreign Filing License Granted: 12/04/2003

Projected Publication Date: 08/26/2004

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

Title

Specimen carrier transfer apparatus for a conveyor track

Preliminary Class

198

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



ATTACHMENT 2

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/626,466	07/24/2003		0.00		8	17	1

CONFIRMATION NO. 1327

George R. Nimmer  
 PO Box 252  
 Omaha, NE 68101-0252

## FILING RECEIPT



\*OC000000011428264\*

Date Mailed: 12/05/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Douglas Barry, Residence Not Provided;  
 Thomas L. Bybee, Residence Not Provided;  
 Adrian Chan, Residence Not Provided;  
 John Fuller, Residence Not Provided;  
 Ray Puseman, Residence Not Provided;  
 Greg Rothman, Residence Not Provided;  
 Don R. Simms, Residence Not Provided;  
 Michael Turner, Residence Not Provided;  
 Jay Woods, Residence Not Provided;  
 Inna M. Zevakina, Residence Not Provided;

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/398,893 07/26/2002

## Foreign Applications

If Required, Foreign Filing License Granted: 12/04/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\*****Title**

Specimen carrier transfer apparatus for a conveyor track

**Preliminary Class**

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

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ATTACHMENT 3

# APPLICATION FOR UNITED STATES PATENT

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## TITLE OF INVENTION

**SPECIMEN CARRIER TRANSFER APPARATUS FOR  
A CONVEYOR TRACK**

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## INVENTORS

Douglas Barry  
Thomas L. Bybee  
Adrian Chan  
John Fuller  
Ray Puseman

Greg Rothman  
Don R. Simms  
Michael Turner  
Jay Woods  
Inna M. Zevakina



## DECLARATION IN UTILITY PATENT APPLICATION AND POWER OF ATTORNEY

We, the undersigned petitioners, declare that: **Douglas Barry** is a citizen of the United States, residing in Lincoln, Nebraska, with a post office address of 5120 Patmore, Lincoln NE 68516, **Thomas L. Bybee** is a citizen of the United States, residing in Omaha, Nebraska, with a post office address of 10284 Grand Avenue, Omaha, NE 68134, **Adrian Chan** is a citizen of Canada, residing in Richmond Hill, Ontario, Canada, with a post office address of 26 Callow Hill Avenue, Richmond Hill, Ontario L4B 4G1, Canada, **John Fuller** is a citizen of the United States, residing in Omaha, Nebraska, with a post office address of 13276 Seward, Omaha, NE 68154, **Ray Puseman** is a citizen of the United States, residing in Bellevue, Nebraska, with a post office address of 1706 Brenda Drive Bellevue, NE 68005, **Greg Rothman** is a citizen of the United States, residing in Omaha, Nebraska, with a post office address of 7005 S. 177<sup>th</sup> Street, Omaha, NE 68136, **Don R. Simms** is a citizen of the United States, residing in Council Bluffs, Iowa, with a post office address of 46 Horizon Drive, Council Bluffs, IA 51503, **Michael Turner** is a citizen of the United States, residing in Bellevue, Nebraska, with a post office address of 713 Lila Avenue, Bellevue, NE 68005, **Jay Woods** is a citizen of the United States, residing in Omaha, Nebraska, with a post office address of 3918 N. 23<sup>rd</sup> St., Omaha, NE 68110, and **Inna M. Zevakina** is a citizen of the United States, residing in Omaha, Nebraska, with a post office address of 2224 S. 164<sup>th</sup> Avenue, Omaha, NE 68130; that we verily believe ourselves to be the original and first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **SPECIMEN CARRIER TRANSFER APPARATUS FOR A CONVEYOR TRACK** described and claimed in Serial No. 10/626,466, filed July 24, 2003; that we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof, or more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application; that we have reviewed and understand the contents of the above-identified specification including the claims, as amended by any amendment specifically referred to in the oath or declaration; that we acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations 1.56; and that no application for patent or inventor's certificate on this invention has been filed by us, or our legal representatives or assigns in any country foreign to the United States of America.


We hereby appoint George Nimmer, Registration No. 21,004 having an address of PO Box 252, Omaha, NE 68101-0252 (telephone 402-393-0151) as our



attorney to prosecute this application and to transact all business in the Patent Office connected therewith.

The undersigned petitioners further declare that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and of any patent issuing thereon.


Date: 10/30/03

  
Douglas Barry

Date: \_\_\_\_\_

Thomas L. Bybee


Date: Oct 30, 2003

  
Adrian Chan

Date: \_\_\_\_\_

John Fuller

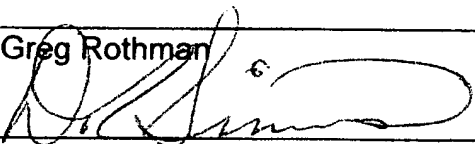
Date: Oct 30, 2003

  
Ray Puseman

Date: \_\_\_\_\_

Greg Rothman

Date: 10/30/03

  
Don R. Simms

Date: \_\_\_\_\_

Michael Turner

Date: 2003-10-30

  
Jay Woods

Date: 10/30/03

  
Inna M. Zevakina